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In re Application of
LOSHAKOVE, Amir et al.
US Application No.: 09/936,789
PCT Application No.: PCT/IL99/00674
Int. Filing Date: 09 December 1999
Priority Date: 19 March 1999
Attorney's File Reference: 088/02319
For: VASCULAR CLOSURE DEVICE

: ACKNOWLEDGEMENT
: OF PRIORITY
: CLAIM

This acknowledgement responds to applicants' "REQUEST TO ACKNOWLEDGE PRIORITY CLAIM", filed 02 May 2003, requesting acknowledgement of applicants' priority claim under 35 USC 119(a) to Israel application number 124694 (IL 124694) filed 29 May 1998.

BACKGROUND

On 18 March 2003, this Office mailed a Notification, in response to applicants' "EXPEDITED REQUEST FOR CORRECTED FILING RECEIPT" filed 27 January 2003. The notification indicated, *inter alia*, that applicants' request to add a priority claim to IL 124694 was refused because 1) the claim for priority to IL 124694 was not made in the request in international application number PCT/IL99/00674 and 2) IL 124694 was not filed within 12 months preceding the international filing date of PCT/IL99/00674 (09 December 1999).

On 02 May 2003, the applicants filed the present "REQUEST TO ACKNOWLEDGE PRIORITY CLAIM" asserting that applicants priority claim under 35 USC 119(a) to IL 124694 is appropriate in view of the fact that US application number 09/936,789 claims the benefit, under 35 USC 120 and 365(c), of the earlier filing date of international application number PCT/IL99/00285 which designates the US.

DISCUSSION

In this US national stage application number 09/936,789, applicants claim the benefit, under 35 USC 120 and 365(c), of the earlier filing date of international application number PCT/IL99/00285 which designates the US. The filing date of PCT/IL99/00285 is 30 May 1999. Accordingly, applicants' claim of the benefit of the earlier filing date, under 35 USC 119(a)-(d), to IL 124694, filed 29 May 1998, is appropriate as it is considered to be within the 12 month time limit set out in 35 USC 119(a) since 29 May 1999 was a Saturday. Thus it is appropriate to

accept applicants' request to add the claim under 35 USC 119(a) to IL 124694 filed 29 May 1998.

CONCLUSION

For the above reasons, applicants' request to acknowledge the priority claim under 35 USC 119(a) to IL 124694 filed 29 May 1998 is **GRANTED**.

This application is being forwarded to the National Stage Processing Branch of the Office of PCT Operations for issuance of a corrected filing receipt including the addition of a foreign priority claim to IL 124694 filed 29 May 1998.

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